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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/079,459

02/20/2002

Manfred Lilge

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EXAMINER

ZECHER, MICHAEL R

ART UNIT

PAPER NUMBER

3609

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
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3 MONTHS

02/28/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

# Office Action Summary

Application No.

10/079,459

Applicant(s)

LILGE ET AL.

Examiner

Michael R. Zecher

Art Unit

3609

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 20 February 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application.
- 6) ☐ Other: \_\_\_\_\_

### DETAILED ACTION

1. The following is a non-final, first office action on the merits. Claims 1-10 are pending.

#### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-10 are rejected under 35 U.S.C. 102(e) as being anticipated by Pirot et al. (U.S. 6,856,676).

As per claim 1, Pirot et al. teaches a system and method of account management provided in a telecommunications network (See Figures 2 & 3, #54, and column 11, lines 26-37, which depict and discuss a service management subsystem that provides extended accounting) having at least one first account class and a second account class for a service receiver (See Figures 2 & 3, #52 & 54, and column 11, lines 26-37, and column 13, lines 54-65, which depict and discuss service management subsystems that correlate to offer a group of services on a network, including accounting services, as a package to which subscribers can register); the method comprising the steps of:

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not paying a rate of value added tax when charging via an account in the first account class (See column 14, lines 21-30 and 50-59, which discuss how the service management subsystem software supports the concept of a virtual private network which allows the owner/manager to establish its own tariff structure); and

paying a fixable rate of value added tax when charging via an account in the second account class (See column 14, lines 21-30 and 50-59, which discuss how the service management subsystem software supports the concept of a virtual private network which allows the owner/manager to establish its own tariff structure).

Claim 7 recites equivalent limitations to claim 1 and is therefore rejected using the same art and rationale as set forth above.

As per claim 2, Pirot et al. teaches the step of paying a fixable rate of value added tax when filling an account in the first account class (See column 13, lines 54-65, and column 14, lines 21-30 and 50-59, which discuss how subscribers can register for various packages containing unique tariff structures).

As per claim 3, Pirot et al. teaches the step of filling an account in the first account class using a voucher (See column 13, lines 54-65, and column 11, lines 26-36, which discuss how billing tickets are processed within an accounting service package offered to subscribers).

Claim 8 recites equivalent limitations to claim 3 and is therefore rejected using the same art and rationale as set forth above.

As per claim 4, Pirot et al. teaches the step of filing an account in the second account class using a debit procedure (See column 14, lines 21-44, which discuss how

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a wide variety of billing methods are available for individual users/applications; billing methods vary depending on the particular tariff structure chosen and the accounting procedures involving call and session tickets).

Claim 9 recites equivalent limitations to claim 4 and is therefore rejected using the same art and rationale as set forth above.

As per claim 5, Pirot et al. teaches the step of running the account management system by a service provider (See column 1, lines 52-67 through column 2, lines 1-7, which discuss how a media gateway controls and manages a system in a telecommunications network, including a service management subsystem that performs accounting functions).

As per claim 6, Pirot et al. teaches wherein the payment service provider is a network operator of the telecommunications network (See column 10, lines 59-61, column 12, lines 50-62, and column 13, lines 25-36, which discuss how different user groups get access to the network depending on how much they want to pay, and, furthermore, how parameters within the subscriber management system include a payment key and parameters within the host management system include payment membership).

As per claim 10, Pirot et al. teaches wherein the account management system is used in an account administration system which further includes at least one account for a service provider (See column 1, lines 52-67 through column 2, lines 1-7, Figures 2 & 3, #52 & #54, column 11, lines 26-37, column 13, lines 54-65, and column 13, lines 49-50 which discuss how a media gateway controls and manages a system in a

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telecommunications network, including a service management subsystem that performs accounting functions; depicts and discusses service management subsystems that correlate to offer a group of services on a network as a package to which subscribers can register; and how a service provider can manipulate certain parameters of their host profile (those the operator deems appropriate), which inherently implies that the service manager retains discretion in allotting accounts).

### ***Conclusion***

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Kundorf (U.S. 6,553,217) discloses a mobile communications system for call charging and corresponding mobile station.

Wallenius (U.S. 6,625,268) discloses supporting supplementary services in an intelligent network.

Logan et al. (U.S. 6,199,076) discloses an audio program player including a dynamic program selection controller.

Campbell et al. (U.S. 6,694,153) discloses service control point location register function.

Hogan et al. (U.S. 6,279,038) discloses a client interface.

Hogan et al. (U.S. 5,867,566) discloses a real-time billing system for a call processing system.

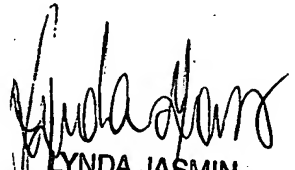
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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael R. Zecher whose telephone number is 571-270-3032. The examiner can normally be reached on M-F 7:30-5:00 alt. Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynda Jasmin can be reached on 571-270-3033. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

MRZ

 2/22/07  
LYNDA JASMIN  
SUPERVISORY PATENT EXAMINER